

**Notice of Allowability**

Application No.

09/980,365

Examiner

V. Paul Harper

Applicant(s)

DEMETRESCU ET AL.

Art Unit

2626

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/10/06.
2. ☒ The allowed claim(s) is/are 1-5, 7, 8 and 10-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



***Reasons for Allowance***

1. Claims 1-5, 7, 8, 10-25 are allowed.

It is noted that the closest prior art of record, Olkkonen et al. (WO 97/37466) teaches speech transmission in a packet network, but Olkkonen et al. do not teach (for claim 1) encoding speech packets into block, each speech packet including a speech header and a payload comprised of a speech frame, wherein at least two speech frames are encoded into a single block, wherein each speech frame includes a set of Class I bits and a set of Class II bits the method comprising: encoding a first speech packet by encoding at least a portion of the header using a block code or convolutional code and the set of Class I bits using a convolutional code; encoding a second speech packet by encoding at least a portion of the header using a block code or convolutional code and the set of Class I bits using a convolutional code; not using a convolutional code or block code to encode the Class II bits.

In addition, Olkkonen et al. do not teach (for claim 25) encoding speech packets into blocks, each speech packet including a speech header and a payload comprised of a speech frame, wherein at least two speech frames are encoded into a single block, wherein each of the speech frames is associated with a different user, wherein each speech frame includes a set of Class I bits and a set of Class II bits, the method comprising: arranging the two speech frames, prior to encoding, such that the Class I bits of the two users are adjacent thereby forming a first and second set of sequential Class I bits; removing the last n bits of the first sequential set of Class I bits prior to encoding, wherein the n bits correspond to n zero bits provided for an encoder with a

constraint length of  $n+1$ , encoding a first speech packet by encoding at least a portion of the header and the set of Class I bits using a block code or convolutional code; encoding a second speech packet by encoding at least a portion of the header and the set of Class I bits using a convolutional code; not using a convolutional code or block code to encode the Class II bits.

Thus, independent claims 1 and 25 are allowable over the prior art of record because the cited prior art alone or in combination, does not fairly suggest or disclose the claimed combination of features.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement for Reasons of Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to V. Paul Harper whose telephone number is (571) 272-7605. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/26/2006

V. Paul Harper  
Patent Examiner  
Art Unit 2626

A handwritten signature in black ink, appearing to read "V. Paul Harper", is written over the printed name and title.